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Remarks

Reconsideration of this application is requested. By this response to the Office Action dated October 5, 2004, claims 17 and 21 were amended and claims 27-30 were canceled. A listing of these claims and the actions taken is included in this amendment. Claims 1-26 remain in the application.

Response to the 35 U.S.C. §102(e) Rejection

The Office Action rejected claims 1-2, 9-10, 17 and 19 under 35 U.S.C. §102(e) as being anticipated by Chhatriwala et al. (U.S. Patent No. 6,725,060).

Claims 1, 2 and 9-10

Applicants' claim 1 recites, among other things, a device coupled to the host processor to transmit and receive Radio Frequency (RF) signals in accordance with the policy when the host processor is in the inactive state.

Chhatriwala et al. teach in FIG. 1 a Personal Data Assistant (PDA) device 20 and a wireless telephone/pager 30 in a common housing. A controller 32 places the wireless telephone in a power-off state. Chhatriwala et al. teach that the wireless telephone is unable to receive an incoming call when the wireless telephone is in the power-off state (column 2, lines 20-25). Chhatriwala et al. further teach in column 2, lines 30-37, that the pager is also unable to receive incoming pages when the wireless telephone is in the power-off state, but that upon returning to a power-on state the page information is provided to the user. Thus, pages are not lost when the device is in the power-off state, but rather the page information is stored for presentation at such time as the device returns to the power-on state.

Applicants' claim 1 recites a feature where the device receives RF signals in accordance with a policy when the host processor is in an inactive state. However, Applicants' claim 1 further includes an additional feature not taught by Chhatriwala et al., namely, that the device also transmits RF signals in accordance with the policy when the host processor is in the inactive state. Chhatriwala et al. do not teach Applicants' claimed feature of transmitting when

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the host processor is in the inactive state. Accordingly, the relied upon art cannot anticipate Applicants' claim 1. Claims 2 and 9-10 depend from base claim 1 and are believed allowable over the prior art of record for at least the same reasons as base claim 1.

Claims 17 and 19

Applicants' amended claim 17 recites: A portable computer having a host processor, comprising an RF device to request data in accordance with a policy that stores user-defined services in preparation of a command from the host processor to request the user-defined services, wherein the RF device provides wireless transmission even when the host processor is in an inactive state.

As previously mentioned, Chhatriwala et al. teach that page information is stored when the host device is powered off and that the user may receive the page data when the host device returns to the power-on state. Chhatriwala et al. do not teach that the RF device provides wireless transmission even when the host processor is in an inactive state, as claimed in Applicants' claim 17.

Claim 19 directly depends from claim 17 and is believed to be allowable over the prior art of reference for at least the same reasons as claim 17.

Response to the 35 U.S.C. §102(b) Rejection

The Office Action rejected claims 21-24 and 26 under 35 U.S.C. §102(b) as being anticipated by the pdQ Basics Handbook (80-68788-1, Rev. A).

Claims 21-24 and 26

Applicants' amended claim 21 recites the actions of updating a policy using a processor in a powered state; downloading the policy to a device; placing the processor in an inactive state; and using the device to transmit and receive Radio Frequency (RF) signals according to the policy even when the processor is in the inactive state.

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The Examiner points to the pdQ Basics Handbook, chapter 1, page 3, to show the device transmits and receives RF signals according to the policy. On page 3 of the pdQ Basics Handbook it is stated that when the phone is turned off, the user cannot send or receive calls, send or receive e-mail or search the Web. Note that Applicants' amended claim 21 clearly claims that the device transmits and receives Radio Frequency (RF) signals according to the policy even when the processor is in the inactive state. In contrast to the pdQ Smartphone that neither receives nor transmits when the phone is off, Applicants' claim 21 recites that the device transmits and receives Radio Frequency (RF) signals according to the policy even when the processor is in the inactive state. At least this feature of Applicants' claim 21 is not taught or suggest by the pdQ Basics Handbook, and therefore, the cited reference cannot anticipate Applicants' claim 21. Accordingly, it is believed that the rejection under 35 U.S.C. §102(b) has been overcome and Applicants' claim 21 is allowable over the art of record.

Claims 22-24 and 26 depend, either directly or indirectly, from base claim 21 and are allowable for at least the same reasons as base claim 21.

Response to the 35 U.S.C. §103 Rejection

The Office Action rejects claims 3-6 and 11 under 35 U.S.C. §103(a) as being unpatentable over Chhatriwala et al. in view of the pdQ Basics Handbook.

Claims 3-6 and 11

Claims 3-6 and 11 depend, either directly or indirectly, from base claim 1 and are believed to be allowable based on claim 1 being allowable.

Response to the 35 U.S.C. §103 Rejection

The Office Action rejects claims 7 and 8 under 35 U.S.C. §103(a) as being unpatentable over Chhatriwala et al.

Claims 7 and 8

Claims 7 and 8 depend, either directly or indirectly, from base claim 1 and are believed to be allowable based on claim 1 being allowable.

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Response to the 35 U.S.C. §103 Rejection

The Office Action rejects claims 12-16, 18 and 20 under 35 U.S.C. §103(a) as being unpatentable over Chhatriwala et al. in view of Nickum (U.S. Patent 6,760,600).

Claims 12-16

Applicants' claim 12 recites, among other things, that an RF device after insertion into the slot is coupled to the host processor to receive the policy and transmit and receive Radio Frequency (RF) signals in accordance with the policy when the host processor is in the inactive state.

It has been mentioned that Chhatriwala et al. do not teach that the RF device transmits signals when the host processor is in an inactive state. Thus, to be a valid 35 U.S.C. §103(a) rejection the burden falls to Nickum to provide this teaching.

Nickum teaches a variety of devices connected together, where the devices are also easily detached and individually functional. When attached together, these devices provide a communication apparatus that is portable and operational. Nickum teaches that the individual devices are each powered by batteries, or alternatively, these devices may be connected to a common power supply. Nickum teaches in column 5, lines 49-56, that power management functions that allow the cellular telephone 14 and pager 16 to be coupled to the power supply of computer 12. However, the power management taught by Nickum does not extend to placing the processor in an inactive state and having the RF pager device transmit signals.

The references of Chhatriwala et al. and Nickum are not being considered separately, but since neither reference teaches or suggests this claimed feature of Applicant's base claims 12, the references taken either singularly or in combination cannot teach Applicant's claimed invention. Accordingly, Applicants believe that the rejection of claim 12 under 35 U.S.C. §103(a) based on the cited references should be removed.

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Claims 13-16 depend, either directly or indirectly, from base claim 12 and are believed to be allowable based on claim 12 being allowable.

Claims 18 and 20

Applicants' claims 18 and 20 directly depend from Applicants' claim 17 and are believed to be allowable for at least the same reasons as base claim 17 being allowable.

Response to the 35 U.S.C. §103 Rejection

The Office Action rejects claims 25 and 27-30 under 35 U.S.C. §103(a) as being unpatentable over the pdQ basics Handbook in view of Nickum.

Claim 25

Applicants' claim 25 depends from Applicants' claim 21 and is believed to be allowable for at least the same reasons as base claim 21 being allowable.

Applicants' claims 27-30 have been canceled by this amendment, and therefore, the rejection of these claims under 35 U.S.C. §103(a) is now moot.

Conclusion

The foregoing is submitted as a full and complete response to the Office Action mailed October 5, 2004, and reconsideration of the rejections is requested for the Office Action mailed March 1, 2004. It is submitted that claims 1-26 are now in condition for allowance and allowance of these claims is earnestly solicited.

Should it be determined that an additional fee is due under 37 CFR §1.16 or 1.17, or any excess fee has been received, please charge that fee or credit the amount of overcharge to deposit account #50-0221.

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If the Examiner believes that there are any informalities that can be corrected by an Examiner's amendment, a telephone call to the undersigned at (480) 715-5388 is respectfully solicited.

Respectfully submitted,
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